

ORDINANCE #29-1993

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER III, "REGULATORY ORDINANCES", OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PERTAINING TO AN ANNUAL HALLOWEEN CURFEW.

WHEREAS, children that are left unsupervised during the overnight hours may be exposed to the most detrimental influences in society; and

WHEREAS, the potential for involvement in criminal activity and other potential threats to the physical and mental health and welfare of children justifies governmental action in furtherance of the protection of children; and

WHEREAS, it is in the best interest of the municipality to encourage the supervision of children by their parents and guardians; and

WHEREAS, pursuant to N.J.S.A. 40:48-2.52, a municipality is authorized to enact ordinances to protect children from the dangers of the street and impose a juvenile curfew;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall in the County of Monmouth and State of New Jersey as follows:

Section 1. Chapter III, "Regulatory Ordinances", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, be and the same is further amended and supplemented by the addition thereto of the following section:

" 3-20 ANNUAL JUVENILE CURFEW**3-20.1 DEFINITIONS**

- A. "Juvenile" means an individual who is under the age of eighteen (18).
- B. "Guardian" means a person other than a parent to whom legal custody of the juvenile has been given by court order or who is acting in place of the parent or is responsible for the care and welfare of the juvenile.
- C. "Public Place" means any place to which the public has access, including but not limited to any public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building, structure or area.

3-20.2 Curfew

It shall be unlawful for a juvenile to be on any public street or in any public place between the hours of 9:00 p.m. and 6:00 a.m. on October 29, 30, 31 and November 1 of each year, unless accompanied by the juvenile's parents or guardian, or unless engaged in or traveling to or from a business occupation, engaged in an errand involving a medical emergency or attendance at an extracurricular school activity; an activity sponsored by a religious or community based organization. It shall be unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours.

3-20.3 Violations and Penalties

Any person who violates or fails to comply with any provision of this section shall be subject to either or both of the following penalties:

- A. A fine of not more than \$1,000.00
- B. Community Service of not more than thirty (30) days."

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This ordinance shall take effect immediately upon its passage and publication according to law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on 11-9-93 and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on 11-23-93 at 8 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk